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12-18-01

Approved for use through 10/31/2002. OMB 0651-0032  
 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
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## CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

*Submit an original, and a duplicate for fee processing  
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))*

CHECK BOX, if applicable  
 DUPLICATE

**Address to:**

**Assistant Commissioner for Patents  
Box CPA  
Washington, D.C. 20231**

|  |                  |
|--|------------------|
| Attorney Docket No.<br><i>Of Prior Application</i> | 7058-5           |
| First Named Inventor                               | ROBSON, David J. |
| Examiner Name                                      | I. Cintins       |
| Group Art Unit                                     | 1724             |
| Express Mail Label No.                             | EL683206783US    |

This is a request for a  continuation or  divisional application under 37 CFR 1.53(d),  
 (continued prosecution application (CPA) of prior application number 08/876,322, filed on June 16, 1997,  
 entitled Improvements in or Relating to the Absorption of Hydrophobic Water-Immiscible Liquids.

### NOTES

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either:  
 (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance  
 with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior  
 nonprovisional application was filed before May 29, 2000. A CPA may be filed in design application regardless of the  
 filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional  
 Application Practice," Final Rule, Fed. Reg. 50092 (August 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (March 20,  
 2000), 1233 Off. Gaz. Pat. Office (April 11, 2000).

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but  
 must be filed under 37 CFR 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon  
 the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a  
 continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by  
 the application under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions  
 of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access  
 to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the  
 specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be  
 entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned  
 the application number identified in such request, 37 CFR 1.78(a).

**WARNING:** Information on this form may become public. Credit card information should not be included on

1.  Enter the unentered amendment previously filed on May 4, 2001  
under 37 CFR 1.116 in the prior nonprovisional application.
2.  A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
  - a.  **DELETE** the following inventor(s) named in the prior nonprovisional application:
- b.  The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4.  A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5.  Information Disclosure Statement (IDS) is enclosed:
  - a.  PTO-1449
  - b.  Copies of IDS Citations

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[Page 1 of 2]

Burden hour statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CPA, Washington, DC 20231.

"Express Mail" label number EL683206783US  
Date of Deposit December 3, 2001

I hereby certify that this correspondence is being deposited with the United States Postal Service  
"Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and  
is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Erica L. Taylor

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| CLAIMS  | (1) FOR   | (2) NUMBER FILED | (3) NUMBER EXTRA | (4) RATE                     | (5) CALCULATIONS |
|---|---|------------------|------------------|------------------------------|------------------|
|   | TOTAL CLAIMS<br>(37 CFR 1.16(c) or (j))                         | 17-20* =         | 0                | x \$ ____ =                  | \$0              |
|   | INDEPENDENT CLAIMS<br>(37 CFR 1.16(b) or (j))                   | 2-3** =          | 0                | x \$ ____ =                  | 0                |
|   | MULTIPLE DEPENDENT CLAIMS (if applicable (37 CFR 1.16(d))       |                  |                  | + \$ ____ =                  |                  |
|   |   |                  |                  | BASIC FEE<br>(37 CFR 1.16)   | 740.00           |
|   |   |                  |                  | Total of above Calculations= | 740.00           |
|   | Reduction by 50% for filing by small entity (Note 37 CFR 1.27). |                  |                  |                              | 370.00           |
| * Reissue claims in excess of 20 and over original patent.<br>** Reissue independent claims over original patent. |   |                  |                  | TOTAL=                       | \$370.00         |

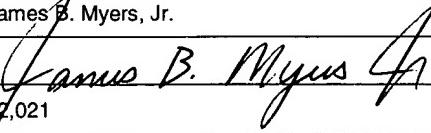
6.  Small entity status: Applicant claims small entity status. See 37 CFR 1.27.
7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 23-3030:
  - Fees required under 37 CFR 1.16.
  - Fees required under 37 CFR 1.17.
  - Fees required under 37 CFR 1.18.
8.  A check in the amount of \$1,090.00 is enclosed.
9.  Payment by credit card. Form PTO-2038 is attached.
10.  Applicant requests suspension of action under 37 CFR 1.103(b) for a period of \_\_\_\_\_ months (not to exceed 3 months) and the fee under 37 CFR 1.17(i) is enclosed.
11.  New Attorney Docket Number, if desired **7058-5-CON**  
[Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.]
12. a.  Receipt for Facsimile Transmitted CPA (PTO/SB/29A)  
 b.  Return Receipt Postcard (Should be specifically itemized, See MPEP 503)
13.  Other: .....

**NOTE:** The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below

#### 14. NEW CORRESPONDENCE ADDRESS

|  |  |           |   |
|--|--|-----------|---|
| <input type="checkbox"/> Customer Number or Bar Code Label | Insert Customer No. or Attach bar code label here                    |           | <input type="checkbox"/> New correspondence address below |
| Name   | James B. Myers, Jr.<br>Woodard, Emhardt, Naughton, Moriarty & McNett |           |   |
| Address  | Bank One Center/Tower<br>111 Monument Circle, Suite 3700             |           |   |
| City   | Indianapolis   | State     | IN  |
| Country  | U.S.A.   | Telephone | (317) 634-3456  |
|  |  | Zip Code  | 46204-5137  |
|  |  | Fax       | (317) 637-7561  |

#### 15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

|                                   |  |
|-----------------------------------|--|
| Name (Print/Type)                 | James B. Myers, Jr.  |
| Signature                         |  |
| Registration No. (Attorney/Agent) | 47,021   |
| Date                              | December 3, 2001   |

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# FEE TRANSMITTAL FOR FY 2002

Patent fees are subject to annual revision.

DEC 03 2001

Total Amount of Payment (\$1,090.00)

## Complete if Known

|                      |                  |
|----------------------|------------------|
| Application Number   | 08/876,322       |
| Filing Date          | June 16, 1997    |
| First Named Inventor | ROBSON, David J. |
| Group Art Unit       | 1724             |
| Examiner Name        | I. Cintins       |

Attorney Docket Number 7058-5

## METHOD OF PAYMENT

1.  The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

23-3030

Deposit Account Number  
Deposit Account Name Woodard, Emhardt, Naughton, Moriarty & McNett

- Charge any Additional Fee Required  
Under 37 CFR 1.16 and 1.17
- Applicant claims small entity status.  
See 37 CFR 1.27.

2.  Payment Enclosed: Check  Credit Card  Money Order  Other

## FEE CALCULATION

## 1. BASIC FILING FEE

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description        | Fee Paid      |
|----------------|-----------------|----------------|-----------------|------------------------|---------------|
| 101            | 740             | 201            | 370             | Utility Filing Fee     | <b>370.00</b> |
| 106            | 330             | 206            | 165             | Design Filing Fee      |               |
| 107            | 510             | 207            | 255             | Plant Filing Fee       |               |
| 108            | 740             | 208            | 370             | Reissue Filing Fee     |               |
| 114            | 160             | 214            | 80              | Provisional Filing Fee |               |
| SUBTOTAL (1)   |                 |                |                 | (\$370.00)             |               |

## 2. EXTRA CLAIM FEES

| Total Claims       | 17              | -20** =        | 0               | X   | = 0 | Fee From Below | Fee Paid |
|--------------------|-----------------|----------------|-----------------|---|-----|----------------|----------|
| Independent Claims | 2               | -3** =         | 0               | X   | = 0 |                |          |
| Multiple Dependent |                 |                |                 |   |     |                |          |
| Large Fee Code     | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description   |     |                |          |
| 103                | 18              | 203            | 9               | Claims in excess of 20                                    |     |                |          |
| 102                | 84              | 202            | 42              | Independent claims in excess of 3                         |     |                |          |
| 104                | 280             | 204            | 140             | Multiple dependent claim, if not paid                     |     |                |          |
| 109                | 84              | 209            | 42              | **Reissue independent claims over original patent         |     |                |          |
| 110                | 18              | 210            | 9               | **Reissue claims in excess of 20 and over original patent |     |                |          |
| SUBTOTAL (2)       |                 |                |                 | (\$0)   |     |                |          |

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

| 3. ADDITIONAL FEES                 | Fee Description  | Fee Paid                 |
|------------------------------------|--|--------------------------|
| 105                                | Surcharge – late filing fee or oath  |                          |
| 127                                | Surcharge – late provisional filing fee or cover sheet.                    |                          |
| 139                                | Non-English specification  |                          |
| 147                                | For filing a request for <i>ex parte</i> reexamination                     |                          |
| 112                                | Requesting publication of SIR prior to Examiner                            |                          |
| 113                                | Requesting publication of SIR after Examiner action                        |                          |
| 115                                | Extension for reply within first month                                     |                          |
| 116                                | Extension for reply within second month                                    |                          |
| 117                                | Extension for reply within third month                                     |                          |
| 118                                | Extension for reply within fourth month                                    | 720.00                   |
| 128                                | Extension for reply within fifth month                                     |                          |
| 119                                | Notice of Appeal   |                          |
| 120                                | Filing a brief in support of an appeal                                     |                          |
| 121                                | Request for oral hearing   |                          |
| 138                                | Petition to institute a public use proceeding                              |                          |
| 140                                | Petition to revive – unavoidable   |                          |
| 141                                | Petition to revive – unintentional   |                          |
| 142                                | Utility issue fee (or reissue)   |                          |
| 143                                | Design issue fee   |                          |
| 144                                | Plant issue fee  |                          |
| 122                                | Petitions to the Commissioner  |                          |
| 123                                | Petitions related to provisional applications                              |                          |
| 126                                | Submission of Information Disclosure Stmt                                  |                          |
| 581                                | Recording each patent assignment per property (times number of properties) |                          |
| 146                                | Filing a submission after final rejection (37 CFR 1.129(a))                |                          |
| 149                                | For each additional invention to be examined (37 CFR 1.129(b))             |                          |
| 179                                | Request for Continued Examination (RCE)                                    |                          |
| 169                                | Request for expedited examination of a design application                  |                          |
| Other Fee (specify) .....          |  |                          |
| * Reduced by Basic Filing Fee Paid |  | SUBTOTAL (3) (\$ 720.00) |

## SUBMITTED BY

|                   |                           |                                   |        |           |                  |
|-------------------|---------------------------|-----------------------------------|--------|-----------|------------------|
| Name (Print/Type) | James B. Myers, Jr.       | Registration No. (Attorney/Agent) | 42,021 | Telephone | (317) 634-3456   |
| Signature         | <i>James B. Myers Jr.</i> |                                   |        | Date      | December 3, 2001 |

Warning: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.